

Ted Poretz (TP 5387)
BINGHAM McCUTCHEEN LLP
399 Park Avenue
New York, NY 10022-4689
Telephone: (212) 705-7000
Facsimile: (212) 752-5378

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE BAYOU HEDGE FUND INVESTMENT
LITIGATION

06 MD 1755 (cm)

THIS DOCUMENT RELATES TO:

SOUTH CHERRY STREET, LLC,

06 CV-02943 (CM)

Plaintiff,

-against-

HENNESSEE GROUP LLC, ELIZABETH LEE
HENNESSEE and CHARLES A. GRADANTE,

Defendants.

AFFIRMATION OF TED PORETZ

TED PORETZ, attorney duly admitted to practice law in the State of New York and before this Court, hereby affirms under penalty of perjury:

1. I am a member of the law firm of Bingham McCutchen LLP, attorneys for Plaintiff herein. I am fully familiar with the facts and circumstances recited herein. I submit this affirmation solely for the purpose of bringing to the Court's attention one document relevant to the issues raised in the accompanying Memorandum of Law in Opposition to Defendants' Motion to Compel Arbitration.

2. Attached hereto as Exhibit A is a true and correct copy of the Form ADV filed by Defendants Hennessee Group LLC with the Securities and Exchange Commission.

Dated: June 30, 2006
New York, NY

/s/ Ted Poretz
Ted Poretz (TP 5387)